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DEPARTMENT FOR IO/UNP EDMONDSON

E.O. 12958: N/A

TAGS: [UNGA](#) [UNGA](#)

SUBJECT: SIXTH COMMITTEE ADOPTS 14 ITEMS AND CONCLUDES  
SESSION

REF: A. USUN 991

- [1](#)B. WILCOX/KIINGI/EDMONDSON EMAIL 9 NOV 07
- [1](#)C. STATE 156953
- [1](#)D. USUN 993
- [1](#)E. USUN 990
- [1](#)F. USUN 988
- [1](#)G. STATE 154995
- [1](#)H. USUN 987
- [1](#)I. KIINGI/WILCOX EMAIL 14 NOV 07
- [1](#)J. USUN 989
- [1](#)K. USUN 992
- [1](#)L. STATE 155041
- [1](#)M. USUN 1017
- [1](#)N. USUN 998
- [1](#)O. STATE 157739
- [1](#)P. USUN 1018
- [1](#)Q. STATE 157040
- [1](#)R. MATTLER/EDMONDSON/WILCOX EMAILS 16 NOV 07
- [1](#)S. USUN 1020
- [1](#)T. STATE 157645
- [1](#)U. EDMONDSON/WILCOX EMAIL 16 NOV 07

[1](#)1. On November 19, 2007, the Sixth Committee adopted without a vote 12 draft resolutions and two draft decisions, thereby concluding the consideration of its agenda for the 62nd UNGA session. Per reftels, USUN joined consensus in the adoption of these resolutions. The resolutions will be presented to the General Assembly for adoption at a later date, most likely in December. The relevant agenda items and their corresponding UN document numbers are provided below (UN documents are available online at: <http://documents.un.org>).

[1](#)2. Agenda Item 79: United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law (Refs A, B and C, A/C.6/62/L.12). Among other things, this resolution recommends that the General Assembly reappoint the United States to the Advisory Committee on the Programme of Assistance for a four-year term that would expire on December 31, 2011.

[1](#)3. Agenda Item 83: Diplomatic Protection (Refs C and D, A/C.6/62/L.13).

[1](#)4. Agenda Item 85: Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (Refs C and E, A/C.6/62/L.11). In a statement on financial implications, the Secretariat stated that the adoption of the resolution would result in no additional requirements under the proposed 2008-2009 budget.

[1](#)5. Agenda Item 80: Criminal Accountability of United Nations Officials and Experts on Mission (Refs F and G, A/C.6/62/L.10). In an explanation of position after the

adoption of the draft resolution, Canada (on behalf of Canada, Australia, and New Zealand) noted the resolution's stern message to take action against UN officials on mission who commit serious crimes, and in doing so, damage the reputation of the United Nations. In a statement on financial implications, the Secretariat stated that the adoption of the resolution would result in no additional requirements under the proposed 2008-2009 budget.

¶6. Agenda Item 78: Responsibility of States for Internationally Wrongful Acts (Refs C and H, A/C.6/62/L.20).

¶7. Agenda Item 82: Report of the International Law Commission on the work of its fifty-ninth session (Refs C, I, and J, A/C.6/62/L.18).

¶8. Agenda Item 84: Prevention of Transboundary Harm from Hazardous Activities and Allocation of Loss in the Case of such Harm (Refs K and L, A/C.6/62/L.19)

¶9. Agenda Item 86: The Rule of Law at the National and International Levels (Refs P, Q, and R, A/C.6/62/L.9). The coordinator of the resolution (Liechtenstein) introduced two changes to the draft text from the floor, discussed previously by email with IO/UNP and L/UNA (ref Q). Preamble paragraph 6 was edited in line 5 to add the phrase "Chapter VI of" to modify the reference to the UN Charter to read "in accordance with Chapter VI of the Charter". In operative paragraph 5, the reference to the selection of a subtopic for the Sixth Committee to discuss during its 63rd session was deleted. The coordinator said no consensus was reached on the selection of a subtopic; however, Sixth Committee would continue the issue's consideration during the sixty-third session. In an explanation of position after the adoption of the resolution, Germany noted this year's text did not invite the Secretary-General to seek the views of governments on the

rule of law as it did in last year's resolution. Germany stated its view that the present resolution would not preclude the Secretary-General from considering the views of governments already provided pursuant to resolution A/61/39.

¶10. Agenda Item 108: Measures to Eliminate International Terrorism (Refs C and M, A/C.6/62/L.14). In an explanation of position before the adoption of the draft resolution, Egypt, Algeria, and Iran expressed their dissatisfaction with the inclusion of NATO in preamble paragraph 21, which they asserted was a military organization and therefore did not belong. Furthermore, Algeria called the resolution a "meager result" of the deliberations on this item. Uganda noted the absence of the East African Community in PP21 and asked for its inclusion. Speaking after the adoption of the draft resolution, Venezuela, Sudan, and Cuba echoed those who opposed the reference to NATO in PP21. Venezuela also complained that the negotiation of the resolution was carried out by a limited group of delegations and asked for more openness and transparency at the next session. (COMMENT: This was interesting because Venezuela had been included in the limited group. END COMMENT.) Tunisia said the focused-text approach that the coordinator of the resolution (Canada) recommended at the outset of negotiations should be revisited next year. In a statement on financial implications, the Secretariat stated that the adoption of the resolution would result in no additional requirements under the proposed 2008-2009 budget.

¶11. Agenda Item 81: Report of the United Nations Commission on International Trade Law on the work of its forty-ninth session (Refs N and O, A/C.6/62/L.16 and A/C.6/62/L.17). The Sixth Committee adopted two draft resolutions under this agenda item: the annual omnibus resolution and a resolution to commemorate the 50th anniversary of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, done at New York on 10 June 1958. USUN delivered the explanation of position in ref O after the adoption of the omnibus resolution. In an explanation of position, Canada said that

while the inclusion of developing states in the review of UNCITRAL working methods was a welcome transparency measure, Canada does not see a need to "revamp" UNCITRAL working methods. France stated its position that a review of UNCITRAL working methods would not prejudice the framework to be discussed in Vienna this December.

¶12. Agenda Item 137: Administration of Justice at the United Nations (Refs S, T, and Q, A/C.6/62/L.22). In a statement on financial implications, the Secretariat stated that the adoption of the draft decision would result in no additional requirements under the proposed 2008-2009 budget.

¶13. Agenda Item 121 and 129: Revitalization of the Work of the General Assembly, Programme Planning (Ref U, A/C.6/62/L.21) In an explanation of position before the adoption of the draft decision, the Dominican Republic (on behalf of the Rio Group) urged the Chairman and the Secretariat to do more to ensure that meetings of the Sixth

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Committee do not overlap with negotiations of the Law of the Sea and Fisheries resolutions. When meetings overlap, he said, small delegations are at disadvantage as they cannot be in two places at the same time. The Dominican also urged the Bureau to schedule all negotiations on resolutions in the Trusteeship Council Chamber to ensure that such meetings were open to all States. Uganda, Egypt, Trinidad and Tobago (on behalf of the Caribbean Community), New Zealand, Sierra Leone, Portugal (on behalf of the EU), El Salvador, the Democratic Republic of the Congo, and Morocco aligned themselves with the Rio Group statement.

¶14. Agenda Item 5: Election of Officers. The Sixth Committee Chairman (Moldova) reminded delegations that, in accordance with the rules of procedure, the Committee must elect a new chairperson, three vice-chairs and a rapporteur at least three months in advance of its next session. The Chairman recommended regional groups begin their informal consideration of potential candidates.  
Khalilzad